

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

ANGELO DENNINGS, *et al.*,
on behalf of himself and
all others similarly
situated,

Plaintiffs - Appellees,

v.

GORDON B. MORGAN and
JEREMY DE LA GARZA

Objectors - Appellants,

v.

CLEARWIRE CORPORATION

Defendant - Appellee.

No. 13-35491

D.C. No 2:10-cv-1859-JLR
Western District of Washington
at Seattle

JOINT STIPULATION

By Order dated September 9, 2013, this Court granted Plaintiffs-Appellees' motion for summary affirmance of the district court's May 3, 2013 order awarding attorneys' fees and expenses; and denied all other pending motions as moot. (Order, No. 13-35491, Dkt. Entry 24.)

To the extent any further issues remain in this appeal, in accordance with FRAP Rule 42(b), Plaintiffs-Appellees ("Plaintiffs"), Defendant-Appellee

Clearwire Corporation (“Clearwire”), and Objectors-Appellants Jeremy de la Garza and Gordon Morgan (“Appellants”) hereby agree to the dismissal of this appeal with each party to bear its own costs, and ask the Court to so order.

Regardless of whether further issues remain, Plaintiffs, Clearwire, and Appellants ask the Court to enter an order that each party will bear its own costs. Plaintiffs and Clearwire agree to each party bearing its own costs in exchange for the agreement of Appellants and Appellants’ counsel to not seek any further appellate review in the above mentioned litigation, *Dennings et al. v. Clearwire Corp.*, No. 2:10-cv-1859-JLR (W.D. Wash.) (including Appellants’ appeals to this Court). No other consideration is being exchanged for these agreements.

Dated: September 19, 2013

Respectfully submitted,

By: s/ Cliff Cantor
Cliff Cantor
Law Offices of Clifford A. Cantor, P.C.
627 208th Ave. SE
Sammamish, WA 98074-7033
Tel: 425-868-7813
cliff.cantor@outlook.com

Attorneys for Plaintiffs-Appellees

By: /s/ Christopher A. Bandas
Christopher A. Bandas
Bandas Law Firm, P.C.
500 N. Shoreline Avenue, Suite 1020
Corpus Christi, TX 78401
Tel: (361) 698-5200
Fax: (361) 698-5222
cbandas@bandaslawfirm.com

*Attorneys for Objectors-Appellants
Jeremy de la Garza and
Gordon Morgan*

By: s/ Kenneth E. Payson
Kenneth E. Payson
Davis Wright Tremaine LLP
1201 Third Avenue, Suite 2200
Seattle, WA 98101-3045
Tel: 206-622-3150
kenpayson@dwt.com

*Attorneys for Defendant-Appellee
Clearwire Corporation*

By: Michael Iaria
Michael Iaria
Law Office of Michael Iaria, PLLC
1111 Third Ave., Suite 2220
Seattle, WA 98101
Tel: 206-400-7576
mpi@iaria-law.com

Attorneys for Christopher A. Bandas

CERTIFICATE OF SERVICE

I hereby certify that on this the 19th day of September 2013, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system thus effectuating service of such filing on all ECF registered attorneys in this case. I further certify that I served the following participants in the case that are not registered CM/ECF users by USPS First Class mail, postage prepaid.

Robert Prior
2016 E. 6th Street
Vancouver, WA 98661

/s/ Christopher A. Bandas
Christopher A. Bandas